ST-101

Idaho State Tax Commission

ST00621 9-27-07

SALES TAX RESALE OR EXEMPTION CERTIFICATE

Seller's Name				Buyer's Name			
Address A				Address			
City		State	Zip Code C	ity	State	Zip Code	
1.	1. Buying for Resale. I will sell, rent, or lease the goods I am buying in the regular course of my business.						
	a. Primary nature of business Describe the products you sell, lease, or rent						
	Check the block that applies: Idaho registered retailer. Seller's permit number Wholesale only, no retail sales Out-of-state retailer, no Idaho business presence Idaho registered retailer. Seller's permit number (required - see instructions)						
2.	Producer Exemptions (see instructions). I will put the goods purchased to an exempt use in the business indicated below. Check the block that applies and complete the required information. Logging Exemption Broadcasting Exemption Publishing Free Newspapers Production Exemption (check one): Farming Ranching Manufacturing Processing Fabricating Mining List the products you produce:						
3. 	American Indian Tribe						
	c. City and state where job is located						
	c. Project owner name d. This exempt project is: (check appropriate box) In a nontaxing state. (To qualify, materials must become part of the real property.) An agricultural irrigation project. For production equipment owned by a producer who qualifies for the production exemption.						
5.	Other Exempt Goods and	Buyers (see instru	ctions).				
	Aircraft used to transport passengers or freight for hire Aircraft purchased by nonresident for out-of-state use American Indian buyer holding Tribal I.D. No This form doesn't apply to vehicles or boats. See instructions. Church buying goods for food bank or to sell meals to members Food bank or soup kitchen buying food or food service goods Glider kits for IRP-registered vehicles Heating fuel Livestock sold at a public livestock market Medical items that qualify Pollution control items Research and development goods Snow making or grooming equipment, or aerial tramway compon Other goods or entity exempt by law under the following statute (required:)						
Buyer: Read and sign. I certify that all statements I have made on this form are true and correct to the best of my knowledge. I understand that falsification of this certificate for the purpose of evading payment of tax is a misdemeanor. Other penalties may also apply.							
Buye	er's Name (please print)	Buye	er's Signature	1	Title		
Buyer's Federal EIN and Driver's License No. and State of Issue				Date			

Seller: Each exemption a customer may claim on this form has special rules (see instructions). It's your responsibility to learn the rules. You must charge tax to any customers and on any goods that don't qualify for a claimed exemption and are taxable by law.

• This form may be reproduced.

• This form is valid only if all information is complete.

• The seller must keep this form.

Form ST-101 Instructions

- 1. BUYING FOR RESALE: Buyers must have an Idaho seller's permit number unless they are wholesalers who make no retail sales or out-of-state retailers with no Idaho business presence (e.g. physical location, representatives, or employees, etc.). An Idaho seller's permit number has nine digits followed by an "S." **Example: 000123456-S.** If the number contains any other letter or is an inappropriate number, such as a federal Employer Identification Number, the certificate isn't valid. To verify a seller's permit number, contact the Tax Commission or visit our Web site at tax.idaho.gov.
- 2. PRODUCER EXEMPTIONS: Businesses that produce products for resale can buy goods that are directly and primarily used in the production process without paying tax. Loggers, broadcasters, and publishers of newspapers that are free to the public (with at least 10% informational content, not ads) are granted a similar exemption. However, a seller must charge these buyers sales tax on any of the following:
 - A hand tool with a unit cost of \$100 or less
 - Transportation equipment and supplies
 - Goods used in selling/distribution
 - Janitorial or cleaning equipment or supplies
 - Maintenance or repair equipment and supplies
 - Office equipment and supplies
 - Any licensed motor vehicle or trailer and parts
 - Aircraft and parts
 - Recreational vehicle (e.g. snowmobile, ATV, off-road motorcycle, camper, travel trailer)
 - Goods that become improvements to real property (e.g. fence posts)

Seller: You may stamp or imprint a Producer Exemption Claim on the front of your invoice. If customers fill in their exemption claim on a stamped or imprinted statement each time you make an exempt sale to them, you don't have to keep a form ST-101 on file for them. Contact the Tax Commission to get the required language for the statement.

3. EXEMPT BUYERS: These buyers are exempt from tax on all purchases.

Hospitals: Only licensed nonprofit hospitals qualify. Nursing homes or similar institutions don't.

Schools: Only nonprofit colleges, universities, and primary, secondary, and charter schools qualify. Schools primarily teaching subjects like business, dancing, dramatics, music, cosmetology, writing, and gymnastics don't qualify. Auxiliary organizations, such as parentteacher associations and alumni groups, don't qualify.

Museums: Only nonprofit museums qualify. A museum collects, preserves, and displays objects and information to help the public interpret the past and present and to explore the future. Examples include institutions that display science, history, art, and culture.

Centers for Independent Living: To qualify, nonresidential centers must be run by disabled persons and provide independent living programs to people with various disabilities.

Qualifying Health Organizations:

American Cancer Society American Diabetes Association American Heart Association American Lung Association of Idaho Arc, Inc., The Arthritis Foundation Children's Home Society of Idaho **Easter Seals**

Family Services Alliance of SE Idaho

Idaho Community Action Agency

Idaho Cystic Fibrosis Foundation

Idaho Diabetes Youth Programs

Idaho Epilepsy League

Idaho Primary Care Association and its Community **Health Centers**

Idaho Ronald McDonald House

Idaho Women's and Children's Alliance

March of Dimes

Mental Health Association

Muscular Dystrophy Foundation

National Multiple Sclerosis Society

Rocky Mountain Kidney Association

Special Olympics Idaho

United Cerebral Palsy

Government: Only the federal government and Idaho state, county, or city government qualify. Sales to other states and their political subdivisions are taxable.

4. CONTRACTOR EXEMPTIONS: Three exemptions apply to contractors. In each case, a contractor must list the job location, project owner, and whether the exemption claim applies to a specific invoice or purchase order, or to all purchases for a specific job number.

Nontaxing State: Construction materials for a job in a nontaxing state are exempt from Idaho sales tax. This exemption applies only to materials that will become part of real property and only if the contractor isn't subject to a use tax or a similar tax in the other state. Jobs in Oregon, Montana, and Alaska qualify, as do some jobs in Washington.

Agricultural Irrigation: Irrigation equipment and materials for an agricultural irrigation project are exempt. An irrigation system for a golf course or a residence doesn't qualify.

Production Equipment: A contractor who installs production equipment for a producer/manufacturer can buy the materials for the equipment exempt from tax. This exemption doesn't apply to materials that become part of real property.

Form ST-101 Instructions - continued

5. OTHER EXEMPT GOODS AND BUYERS: If buyers claim an exemption that isn't listed on this form, they must mark the "other" block and list the section of the law that applies to the exemption, or the certificate isn't valid.

Aircraft Purchased by Nonresidents for Out-of-State Use: An aircraft sold to a nonresident is exempt if it will be immediately removed from Idaho and registered in another state and won't be stored or used in Idaho more than 90 days in any 12-month period. Aircraft kits and hang gliders don't qualify for this exemption. A business is a "nonresident" if it has no business presence in Idaho. A business with property in Idaho or employees working in the state, doesn't qualify.

Aircraft Used to Transport Passengers or Freight for Hire: Only aircraft purchased by an airline, charter service, air ambulance service, or air freight company qualify. Parts and repair and replacement materials for the exempt aircraft are also exempt. Examples of aircraft that don't qualify for this exemption are those used for recreational flights, aerial spraying, dumping, or logging.

American Indian: Sales to an enrolled Indian tribal member are exempt if the seller delivers the goods on the reservation. The buyer's Tribal Identification Number is required. For sales of vehicles or boats, use form ST-133, Sales Tax Exemption Certificate - Transfer Affidavit.

Church: A church may buy food to sell meals to its members or qualifying goods for its food bank without paying tax. Churches must pay tax on all other goods they buy to use.

Food Banks and Soup Kitchens: Food banks and soup kitchens may buy food or other goods used to grow, store, prepare, or serve the food exempt from sales tax. The exemption doesn't include licensed motor vehicles or trailers.

Heating Fuels: Heating fuels such as wood, coal, petroleum, propane, and natural gas are exempt when purchased to heat an enclosed building or a building under construction, or when used for cooking or water heating.

Livestock: Sales of cattle, sheep, mules, horses, pigs, and goats are exempt when sold at a public livestock market. Sales of other animals don't qualify.

Medical Items: Only the following medical goods qualify if a licensed practitioner will administer or distribute them: drugs, oxygen, insulin, syringes, prosthetic devices, durable medical equipment, dental and orthopedic appliances, urinary and colostomy supplies, enteral and parenteral feeding equipment and supplies, hemodialysis and peritoneal dialysis drugs and supplies, and chemicals and equipment used to test or monitor blood or urine of a diabetic.

Pollution Control Items: The following items qualify: tangible personal property purchased to meet air or water quality standards of a federal or state agency; liners and reagents purchased to meet water quality standards; tangible personal property purchased to meet air or water quality standards and which become an improvement to real property of manufacturing, mining, farming, or toxic waste treatment and storage businesses; and "dry to dry transfer systems" used by the dry cleaning industry. The exemption isn't available for items used in treating drinking water, preventing soil erosion, in road construction, or in septic systems. Motor vehicles and buildings don't qualify. See Idaho Code section 63-3622X for more details.

Research and Development (R & D): Purchases of goods that are directly and primarily used to develop, design, manufacture, process, or fabricate a product or potential product qualify. Also, the Idaho National Laboratory and its contractors may claim an R & D exemption to buy goods directly and primarily used to advance scientific knowledge in areas that don't have a commercial application. Items that will become a part of real property don't qualify.

Snow Making/Grooming Equipment, Aerial Tramway: The owner or operator of a downhill ski area with an aerial passenger tramway may buy parts, materials, and equipment that become a component part of the tramway and snow grooming and snow making equipment for the slope exempt from tax. An aerial tramway includes chair lifts, gondolas, T-bar and J-bar lifts, platter lifts, rope tows, and similar devices.